

CHAPTER NO. 1007

HOUSE BILL NO. 2560

**By Representatives Jackson, Newton, Buck, Godsey, Goins, Hargett, Beavers,
Mike Walker, Sharp, Burchett**

Substituted for: Senate Bill No. 2853

By Senator Springer

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 5 relative to soliciting minors to engage in certain conduct.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is amended by adding the following as a new section:

Section ____.

(a) It is an offense for a person eighteen (18) years of age or older, by means of oral, written or electronic communication, directly or through another to intentionally command, request or hire a person who the person making the solicitation knows or should know is less than eighteen (18) years of age to engage in conduct that if completed would constitute a violation by the soliciting adult of one (1) or more of the following offenses:

1) Rape of a child pursuant to Tennessee Code Annotated, Section 39-13-522;

2) Aggravated rape pursuant to Tennessee Code Annotated, 39-13-502;

3) Rape pursuant to Tennessee Code Annotated, Section 39-13-503;

4) Aggravated sexual battery pursuant to Tennessee Code Annotated, Section 39-13-504;

5) Sexual battery pursuant to Tennessee Code Annotated, 39-13-505;

6) Statutory rape pursuant to Tennessee Code Annotated, Section 39-13-506; and

7) Especially aggravated sexual exploitation of a minor pursuant to Tennessee Code Annotated, Section 39-17-1005.

(b) It is no defense that the solicitation was unsuccessful and the conduct solicited was not engaged in. It is no defense that if the solicited conduct were engaged in the minor would not commit any of the listed offenses. It is no defense that the minor solicited was unaware of the criminal nature of the conduct solicited.

(c) A violation of this section is a Class E felony.

SECTION 2. This act shall take effect July 1, 1998, the public welfare requiring it.

PASSED: May 1, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of May 1998


DON SUNDQUIST, GOVERNOR